

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

Raizy Felberbaum, individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

MANDARICH LAW GROUP, LLP,

Defendant.

Case No.: 1:19-cv-04249-KAM-VMS

Judge Kiyo A. Matsumoto

Magistrate Vera M. Scanlon

DEFENDANT’S NOTICE OF SUPPLEMENTAL AUTHORITY

Now Comes Defendant Mandarich Law Group, LLP, by and through its undersigned counsel, and provides this Honorable Court with notice of the following supplemental authority, *Ila Jones, individually and on behalf of all others similarly situated v. Mandarich Law Group, LLP*, Case No. 1:19-cv-06264-RRM-PK, ECF #39, dated September 29, 2021, which is attached to this Notice as Exhibit A.

Jones was filed in the United States District Court for the Eastern District of New York a few months after the instant action as filed. Like the present case, Plaintiff’s counsel filed *Jones* following that plaintiff’s receipt of a dunning letter from Mandarich Law Group, LLP (“Mandarich”). The dunning letter at-issue in *Jones* was formatted identically to the letter in the present case and contained identical language. There, as in the instant action, the plaintiff alleged, while knowing nothing about Mandarich’s internal business practices, that no Mandarich attorney was meaningfully involved with the collection of her account. The plaintiff further argued that Mandarich’s letter overshadowed her rights under the FDCPA and impermissibly threatened legal

action. As in the case at bar, the plaintiff in *Jones* presented no facts to support her own claims, but rather sought to invert the burden of proof and suggest that it was Mandarinich's obligation to prove that it *did not* violate the FDCPA.

In issuing her summary judgment ruling in *Jones*, Judge Roslynn R. Mauskopf correctly found each of the plaintiff's claims to be baseless. The plaintiff in *Jones* advanced substantially similar arguments in support of her claims to those that Ms. Felberbaum has forwarded in her Motion for Summary Judgment.

As the court's holding in *Jones* addresses substantially similar claims brought against the same Defendant and is nearly factually indistinguishable from the instant action, Defendant believes that the discussion and analysis set-out in *Jones* will provide invaluable guidance to the Court in assessing the motions before it.

A copy of Judge Mauskopf holding in *Jones* is appended hereto as Exhibit A.

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Dated: October 4, 2021

Respectfully Submitted,

MANDARICH LAW GROUP, LLP

/s/ Stephanie A. Strickler
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ADMITTED PRO HAC VICE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document was electronically filed on October 4, 2021 with the Clerk of the Court using the CM/ECF system, which will automatically send an email notification of such filing to all parties of record.

/s/ Stephanie A. Strickler
Stephanie A. Strickler

Attorney for Defendant